ORDINANCE NO. 17

54761

SERIES, 1974

AN ORDINANCE VACATING THAT PORTION OF COLUMBUS STREET WEST OF NORTH 17th STREET, 87.5 FEET IN ELGIN, OREGON ALSO DESCRIBED AS: BEGINNING AT THE NORTHEAST CORNER OF LOT NO. 1, BLOCK 18, NORTH ELGIN ADDITION TO THE CITY OF ELGIN, THENCE WEST 87.5 FEET TO THE CITY LIMIT LINE, THENCE NORTH 60 FEET TO SOUTHWEST CORNER OF LOT 12, BLOCK 7, THENCE EAST 87.5 FEET TO SOUTHEAST CORNER OF LOT 12, BLOCK 7, THENCE SOUTH 60 FEET TO POINT OF BEGINNING ACCORDING TO THE RECORDED PLAT THEREOF:

WHEREAS, the City Council of the City of Elgin, Oregon, by Resolution No. 19, Series 1974, initiated vacation proceedings for that portion of Columbus Street west of North 17th Street, 87.5 feet is platted in North Elgin Addition to the City of Elgin, Oregon according to the recorded plat thereof, and

WHEREAS, a notice of hearing in connection with said vacation proceedings was given which provided that all objections, remonstrances or claims for damages as a result of said proposed vacation were to be presented and filed with the City Recorder in writing prior to the hour of 7:30 o'clock P. M. on the 12th day of November, 1974, in the City Hall at Elgin, Oregon; and said notice wasgiven by posting and publishing the same as required by statute and as shown by the Affidavit of Publication and Affidavit of Posting heretofore filed with the City Recorder, and,

WHEREAS, no objections have been rendered or filed against such vacation, and,

WHEREAS, such vacation will not substantially affect the market value of property in the vicinity thereof, and,

WHEREAS, in the opinion of the City Council of the City of Elgin, no one will be adversely affected by the vacation of the street above described, NOW THEREFORE,

THE CITY OF ELGIN DOES ORDAIN as follows:

1. That notice of the time and place of hearing of the proposed vacation of Columbus Street, west of North 17th Street, 87.5 feet is platted in North Elgin Addition to the City of Elgin, Oregon according to the recorded plat thereof,

has been given in accordance with ORS 271.110 and resolution No.19, Series 1974.

2. That the owners of the majority of the area affected thereby have not objected to said vacation as hereinabove described.

3. That the proposed street vacation will not substantially affect the market value of the property in the vicinity thereof.

4. That no one will be adversely affected by the vacation of Columbus Street, west of North 17th Street, 87.5 feet in Elgin, Oregon, also described as: Beginning at the northeast corner of Lot No. 1, Block 18, NORTH ELGIN ADDITION, to the City of Elgin, thence west 87.5 feet to City limit line, thence North 60 feet to southwest corner of Lot 12, Block 7, thence East 87.5 feet to southeast corner of Lot 12, Block 7, thence South 60 feet to point of beginning according to the recorded plat thereof: and that said street be and the same hereby is vacated and that the title thereto shall attach to the land bordering on such area in equal portions in accordance with ORS 271.140.

5. In as much as the preservation of the public health, safety and welfare of the citizens of the City of Elin, Oregon, demand immediate adoption of this ordinance, an emergency is hereby declared to exist and this ordinance shall take effect immediately upon its passage and approval.

PASSED AND ADOPTED this 12 day of November, 1974, by 6 Council members voting therefor.

APPROVED this 12 day of November, 1974.

Warren L. Stein
Mayor

CITY OF ELGIN CORPORATE SEAL STATE OF OREGON

ATTEST: Ron Scoubes
City Recorder

The undersigned Ron Scoubes certifies that he is the duly appointed and active City Recorder of the City of Elgin, Oregon, and that the foregoing document consisting of two (2) pages is a true and correct copy of the Ordinance on file in the office of the City of Elgin, Oregon and that the same is in full force and effect.

Ron Scoubes
Ron Scoubes, City Recorder

INDEXED

54761

STATE OF OREGON
County of Union } ss

I certify that the within instrument of writing was received for record on the 19 day of March 1975 at 2:45 o'clock P M., and recorded on page — in book Deeds Record of said County.

SHIRLEY L. BOLIN County Clerk,

By Barbara C. Baker Deputy.

CERTIFICATE OF CITY RECORDER REGARDING TAXES

STATE OF OREGON)
: ss.
COUNTY OF UNION)

I, RON SCOUBES, do hereby certify:

That I am the duly appointed, qualified and acting City Recorder for the City of Elgin, Oregon.

That all city liens and all taxes on the property affected by the vacation of Columbus Street west of North Seventeenth Street, 87.5, feet in North Elgin Addition to the City of Elgin, Oregon, have bee paid.

DATED this 12 day of November, 1974.

Ron Scoubes

Ron Scoubes, City Recorder
City of Elgin, Oregon

NOTICE OF STREET VACATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Elgin, Oregon, will, on the 12th day of November, 1974, at the hour of 7:30 P. M. in the City Hall at Elgin, Oregon, hold a hearing in connection with its resolution and vacation proceedings initiated by the City Council, on the 8th day of October, 1974, whereby it was proposed to vacate that portion of Columbus Street west of North 17th Street, 87.5 feet in Elgin, Oregon, according to the recorded plat thereof, and the City Council will, at that time, hear and consider all objections, remonstrances or claims for damages as a result of such proposed vacation which may be presented and filed with the City Recorder in writing prior to the time of hearing.

DATED AND POSTED this 8 day of October, 1974.

Ron Scoubes

Ron Scoubes, City Recorder
City of Elgin, Oregon

BEFORE THE CITY COUNCIL OF THE CITY OF ELGIN OREGON

IN THE MATTER OF THE VACATION OF)
PUBLIC STREET DESCRIBED AS:)
)
COLUMBUS STREET WEST OF 17th)
STREET.)

AFFIDAVIT OF POSTING

I, RON SCOUBES, being first duly sworn depose and say:

THAT I am the newly appointed qualified and acting City Recorder of the City of Elgin, Union County, Oregon; I am a citizen of the United States; over the age of 21 years and a resident of the City of Elgin, Union County, Oregon.

On the 11th day of October, 1974, I posted the hereto attached Notice of Street Vacation in public view in the following places, to-wit:

Utility pole at intersection of 17th and Columbus Street.

Ron Scoubes
Ron Scoubes, City Recorder
City of Elgin, Oregon.

Subscribed and sworn to before me this 23 day of October, 1974.

Notary Public for Oregon
My Commission Expires:

MY COMMISSION EXPIRES MARCH 31, 1977